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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Maarij Foundation for Peace and Development, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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HUMAN RIGHTS SITUATION IN MYANMAR

The process of transition of government following the landslide victory by Aung San Suu Kyi's National League for Democracy (NLD) has been moving forward. Despite some positive developments nationally in the current transition period, the situation in Arakan remains stalled for the most part; The Government of Myanmar has reportedly stepped up the persecution of Rohingya in Arakan. There has also been an upsurge in isolated incidence of violence and killing of Rohingya by Myanmar police and extremist Rakhine groups.

However, there is a transition of Government in Burma/Myanmar with Aung San Suu Kyi's NLD coming to power in April 2016. The new parliament with NLD majority has just started this month. This is a very crucial time for Rohingya people in international advocacy for mounting pressure on the new Government to address the humanitarian, human right, and political issues faced by Rohingya.

LATEST DEVELOPMENT IN ARAKAN

New Government policy on Rohingya childbirth in Arakan

While the persecution of Rohingya Muslims by the Government of Myanmar continues, Myanmar police in Arakan has stepped up the human right violations against Rohingya. Since early 1990s, the Military and the military-dominated USDP Government has been using its notorious NASAKA Forces (renamed BGP) to eliminate Rohingya population from Arakan.
While forced relocation and expulsion of the Rohingya from their home villages in Arakan remain a top strategic move by the Government, prevention of childbirth in Rohingya families has recently emerged as a centerpiece of the policy. While the decades-old two-child policy (only for Rohingya) has been aggressively enforced in many target locations in Arakan, BGP has reportedly devised a new strategy of exclusion of the newborns in Rohingya households. It has recently taken effect in BGP Sector 1-8 in Maungdaw and BGP Sector 9 in Buthindaung. Previously, birth of a child in Rohingya household was required to report to NASAKA through submission of application via office of the Government-appointed Chairman of the village tract council (*Chei Ywa Kaungsi*). Beginning from January 11, 2016, BGP has reportedly tightened the childbirth reporting process. The following documents are required for Rohingya when reporting childbirth in Rohingya households:

1. The birth of the child must be certified by a nurse from the Government Clinic or Hospital (*currently no Rohingya patient is accepted in Government Clinic or Hospital; There are no private or public healthcare facilities in proximity to most Rohingya villages in Maungdaw and Buthidaung Townships; almost all child-delivery in Rohingya households are through private Rohingya midwives or elderly women in the locality*).
2. Testimonies from two adjacent neighbors that the child was born to the applicant family.
3. A letter of testimony from the Chairman (*a non-Rohinya, in most cases*) of the village tract that the birth was given by the applicant parents.
4. A copy of marriage permission issued by Government official to the parents of the child.
5. Completed birth data form issued by the BGP.
6. Letter of acknowledgment from LAWAKA (Township Immigration Office) that an application for addition of the newborn to the household list (*Eintownsu Sayin*) has been made by the family.
7. A letter of acknowledgment from the Township Police Department that the birth has been reported to the Police Department.
8. Evidence of both parents of the child being from the same household family list.
9. A second form (issued by the BGP) must be signed by the parents, testifying that all the information is accurate and all the criteria have been met; otherwise severe penalty (unspecified) will be imposed.

Raid of Rohingya Homes and Checking Household List

BGP forces have also resumed the household list checking operation in Rohingya areas in Maungdaw and Buthidaung following the process set up by former NASAKA, including night time surprise raid of Rohingya homes checking the number of household members and the household list. Recently, number of family members' group photos and

residency documents have been reportedly confiscated. Currently, Rohingya household members are required to bear a card with a ribbon around the neck. The card must display the serial number of the family member from the household list. It is facing stiff resistance from the Rohingya community that has resulted in widespread beating and arrests for non-compliance.

NEW OPPORTUNTIES FOR FINDING A SOLUTION

The longstanding persecution Rohingya Muslims by the Military-dominated Government of Myanmar has always been the primary strategy to eliminate Islam in Myanmar in a stepwise strategy with the first step of elimination of Rohingya from Arakan. However, taking the new political development into account, there is new opportunity for Rohingya people while Aung San Suu Kyi's NLD is forming a new democratic government following the landslide victory by NLD in recent national election. Currently, there is a positive environment likely to emerge that could pave the way to intensive engagement of the international community with the new Government of Myanmar. The engagement with NLD could lead to development of a roadmap aiming at short and long-term outcomes in coordination with Rohingya leadership in diaspora. Arakan Rohingya Union is developing a strategic plan of engagement with the NLD-led Government of Myanmar in coordination with the international community.

RECOMMENDATIONS

The current period of transition of the Government in Myanmar is a crucial time for Rohingya people. The international advocacy for Rohingya cause should mount pressure on the new Government to address the humanitarian, human right, and political issues faced by Rohingya people. Arakan Rohingya Union provides the following recommendations to the international community to demand the Government of Myanmar:

1. Provide international relief workers unfettered access to all IDP camps and Rohingya villages.
2. Immediately and unconditionally repatriate all the IDPs to their original homes in Arakan.
3. Reinstate the basic human rights of Rohingya through immediate removal of the regional policy (only for Rohingya), particularly the restriction of movement, infringement upon freedom of religion, infringement upon right to marry, denial of healthcare, police brutality, and numerous other violations.
4. Permanently cease raiding Rohingya homes by the BGP (formerly NASAKA) and checking household list with family members.
5. Allow Rohingya high school graduates to seek higher education in colleges and universities Myanmar.
6. Enforce rule of law and take legal actions against those engaging in hate speech.
7. Devise a roadmap for reinstatement of Rohingya ethnicity and citizenship without further delay.
8. Include Rohingya leadership in diaspora and in the country as partner in dialogue with the Government of Myanmar in devising a roadmap.
9. Fully cooperate with the international community in infrastructure development for the advancement of Rohingya and other ethnic groups in Arakan in socio-economic, healthcare, education, and cultural arena.
10. Take concrete steps for prevention of human trafficking from Arakan to destinations in Southeast Asia.